

authorized to meet during the session of the Senate on September 13, 2012, at 10 a.m., to conduct a hearing entitled "Holding the CFPB Accountable: Review of Semi-Annual Report to Congress."

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Michael Mederos and Alexis Florczak of my staff be granted floor privileges for the duration of today's proceedings.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TESTER. Mr. President, I ask unanimous consent that Nick Artuso, an intern in the office of Senator BLUMENTHAL, be granted the privilege of the floor for the duration of this afternoon's session.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE PESTICIDE REGISTRATION IMPROVEMENT EXTENSION ACT OF 2012

Mr. DURBIN. Mr. President, I ask unanimous consent the Senate proceed to the consideration of S. 3552, introduced earlier today.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 3552) to reauthorize the Federal Insecticide, Fungicide, and Rodenticide Act.

There being no objection, the Senate proceeded to consider the bill.

Mr. DURBIN. Mr. President, I ask unanimous consent the bill be read three times and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and any related statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 3552) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 3552

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Pesticide Registration Improvement Extension Act of 2012".

SEC. 2. PESTICIDE REGISTRATION IMPROVEMENT.

(a) MAINTENANCE FEES.—

(1) FEES.—Section 4(i) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a-1(i)) is amended—

(A) in paragraph (5)—

(i) in subparagraph (C), by striking "aggregate amount of" and all that follows through the end of the subparagraph and inserting "aggregate amount of \$27,800,000 for each of fiscal years 2013 through 2017.";

(ii) in subparagraph (D)—

(I) in clause (i), by striking "shall be" and all that follows through the semicolon and inserting "shall be \$115,500 for each of fiscal years 2013 through 2017."; and

(II) in clause (ii), by striking "shall be" and all that follows through the period and inserting "shall be \$184,800 for each of fiscal years 2013 through 2017.";

(iii) in subparagraph (E)(i)—

(I) in subclause (I), by striking "shall be" and all that follows through the semicolon and inserting "shall be \$70,600 for each of fiscal years 2013 through 2017."; and

(II) in subclause (II), by striking "shall be" and all that follows through the period and inserting "shall be \$122,100 for each of fiscal years 2013 through 2017.";

(iv) in subparagraph (F)—

(I) by striking "paragraph (3)" and inserting "this paragraph"; and

(II) by striking "Humans" and inserting "Human";

(v) by redesignating subparagraphs (F) through (H) as subparagraphs (G) through (I), respectively;

(vi) by inserting after subparagraph (E) the following:

"(F) FEE REDUCTION FOR CERTAIN SMALL BUSINESSES.—

"(i) DEFINITION.—In this subparagraph, the term 'qualified small business entity' means a corporation, partnership, or unincorporated business that—

"(I) has 500 or fewer employees;

"(II) during the 3-year period prior to the most recent maintenance fee billing cycle, had an average annual global gross revenue from all sources that did not exceed \$10,000,000; and

"(III) holds not more than 5 pesticide registrations under this paragraph.

"(ii) WAIVER.—Except as provided in clause (iii), the Administrator shall waive 25 percent of the fee under this paragraph applicable to the first registration of any qualified small business entity under this paragraph.

"(iii) LIMITATION.—The Administrator shall not grant a waiver under clause (ii) to a qualified small business entity if the Administrator determines that the entity has been formed or manipulated primarily for the purpose of qualifying for the waiver."; and

(vii) in subparagraph (I) (as redesignated by clause (v)), by striking "2012" and inserting "2017";

(B) in paragraph (6)—

(i) by striking "2014" and inserting "2019"; and

(ii) by striking "paragraphs (1) through (5)" and inserting "paragraph (1)";

(C) by striking paragraphs (1), (2), (3), (4), and (7); and

(D) by redesignating paragraphs (5) and (6) as paragraphs (1) and (2), respectively.

(2) CONFORMING AMENDMENTS.—

(A) Section 4 of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a-1) is amended—

(i) in subsection (d)(5)(B)(ii)(III), by striking "subsection (i)(1)" and inserting "this section";

(ii) in subsection (j), by striking "subsection (i)(5)" and inserting "subsection (i)(1)"; and

(iii) in subsection (k)(5)—

(I) in the first sentence, by striking "subsection (i)(5)(C)(ii)" and inserting "subsection (i)(1)(C)(ii)"; and

(II) in the third and sixth sentences, by striking "subsection (i)(5)(C)" each place it appears and inserting "subsection (i)(1)(C)".

(B) Section 33(b)(7)(F) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136w-8(b)(7)(F)) is amended—

(i) by striking "section 4(i)(5)(E)(ii)" each place it appears in clauses (i), (ii)(I), and (iv)(I) and inserting "section 4(i)(1)(E)(ii)";

(ii) by striking "section 4(i)(5)(E)(ii)(I)(bb)" each place it appears in clauses (ii)(II) and (iv)(II) and inserting "section 4(i)(1)(E)(ii)(I)(bb)"; and

(iii) in clause (iv)(II)—

(I) by striking "applicable." and inserting "applicable"; and

(II) by striking "revenues" and inserting "revenue".

(3) EXTENSION OF PROHIBITION ON TOLERANCE FEES.—Section 408(m)(3) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a(m)(3)) is amended by striking "September 30, 2012" and inserting "September 30, 2017".

(4) REREGISTRATION AND EXPEDITED PROCESSING FUND.—

(A) SOURCE AND USE.—Section 4(k)(2)(A) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a-1(k)(2)(A)) is amended—

(i) by inserting "to enhance the information systems capabilities to improve the tracking of pesticide registration decisions," after "paragraph (3)" each place it appears; and

(ii) in clause (i)—

(I) by inserting "offset" before "the costs of reregistration"; and

(II) by striking "in the same portion as appropriated funds".

(B) EXPEDITED PROCESSING OF SIMILAR APPLICATIONS.—Section 4(k)(3)(A) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a-1(k)(3)(A)) is amended—

(i) in the matter preceding clause (i), by striking "2008 through 2012, between 1/8 and 1/4" and inserting "2013 through 2017, between 1/8 and 1/4";

(ii) in clause (i), by striking "new"; and

(iii) in clause (ii), by striking "any application" and all that follows through "that—" and inserting "any application that—".

(C) ENHANCEMENTS OF INFORMATION TECHNOLOGY SYSTEMS FOR IMPROVEMENT IN REVIEW OF PESTICIDE APPLICATIONS.—Section 4(k) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a-1(k)) is amended—

(i) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively;

(ii) by inserting after paragraph (3) the following:

"(4) ENHANCEMENTS OF INFORMATION TECHNOLOGY SYSTEMS FOR IMPROVEMENT IN REVIEW OF PESTICIDE APPLICATIONS.—

"(A) IN GENERAL.—For each of fiscal years 2013 through 2017, the Administrator shall use not more than \$800,000 of the amounts made available to the Administrator in the Reregistration and Expedited Processing Fund for the activities described in subparagraph (B).

"(B) ACTIVITIES.—The Administrator shall use amounts made available from the Reregistration and Expedited Processing Fund to improve the information systems capabilities for the Office of Pesticide Programs to enhance tracking of pesticide registration decisions, which shall include—

"(i) the electronic tracking of—

"(I) registration submissions; and

"(II) the status of conditional registrations;

"(ii) enhancing the database for information regarding endangered species assessments for registration review;

"(iii) implementing the capability to electronically review labels submitted with registration actions; and

"(iv) acquiring and implementing the capability to electronically assess and evaluate confidential statements of formula submitted with registration actions."; and

(iii) in the first sentence of paragraph (6) (as redesignated by clause (i)), by striking "to carry out the goals established under subsection (1)" and inserting "for the purposes described in paragraphs (2), (3), and (4) and to carry out the goals established under subsection (1)".

(b) PESTICIDE REGISTRATION SERVICE FEES.—